

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

ABSALON BANUELOS

Claimant

VS.

PRAIRIELAND PROCESSORS

Respondent

AND

ITT HARTFORD

Insurance Carrier

AND

KANSAS WORKERS COMPENSATION FUND

Docket No. 155,501

ORDER NUNC PRO TUNC

It has come to the attention of the Appeals Board that a clerical error was made in the last paragraph of the text of the opinion of the Board issued in this case. Specifically, the word “claimant” was inadvertently substituted for the word “respondent.” The last paragraph of the text should, therefore, be corrected to read as follows:

Respondent clearly had knowledge of the 1990 injury and medical treatment. However, the Appeals Board concludes that respondent did not have knowledge of an impairment which would constitute a handicap. Dr. Bryant has testified that he was concerned that continuing to work might aggravate claimant's shoulder. Nothing in the record, however, indicates respondent was advised of this fact. Respondent made no accommodation to the initial injury and the Appeals Board concludes that respondent did not have knowledge of an impairment constituting a handicap. Respondent has not established a basis for imposition of a liability on the Kansas Workers Compensation Fund. Hines v. Taco Tico, 9 Kan. App. 2d 633, 683 P.2d 1295 (1984). That portion of the Award is, therefore, reversed.

IT IS SO ORDERED.

Dated this _____ day of February, 1997.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Albert Herdoiza, Overland Park, KS
 Frederick L. Haag, Wichita, KS
 Scott J. Mann, Hutchinson, KS
 John D. Clark, Administrative Law Judge
 Philip S. Harness, Director